

THE CITY OF SAN DIEGO

# PLANNING CHAIRS OPERATIONS WORKSHOP

PCOW - June 30, 2015



# Introductions

## City Planning Department

- Nancy Bragado, Deputy Director
- Bernard Turgeon, Senior Planner
- Maria Nieves, CA II
- Betsy McCullough

## City of San Diego Planning Commission

- Tim Golba, Chair

## Community Planners Committee

- Joe LaCava, Chair

## Who is attending?

- Name & community planning group



# PCOW Agenda

## ■ Introductory Remarks

- Nancy Bragado, Deputy Director – Planning Department
- Kerry Santoro, Deputy Director – Development Services
- Tim Golba, Chair – San Diego Planning Commission
- Joe LaCava, Chair – Community Planners Committee

## ■ Community Planning Group Meeting Procedures

- Planning Group Governance Structure
- Agenda Preparation
- Agenda Posting
- At the Meeting
- Voting, Abstentions & Recusals
- Subcommittees
- Meeting Records

## ■ Questions

- On Meeting Procedures or other topics as time allows



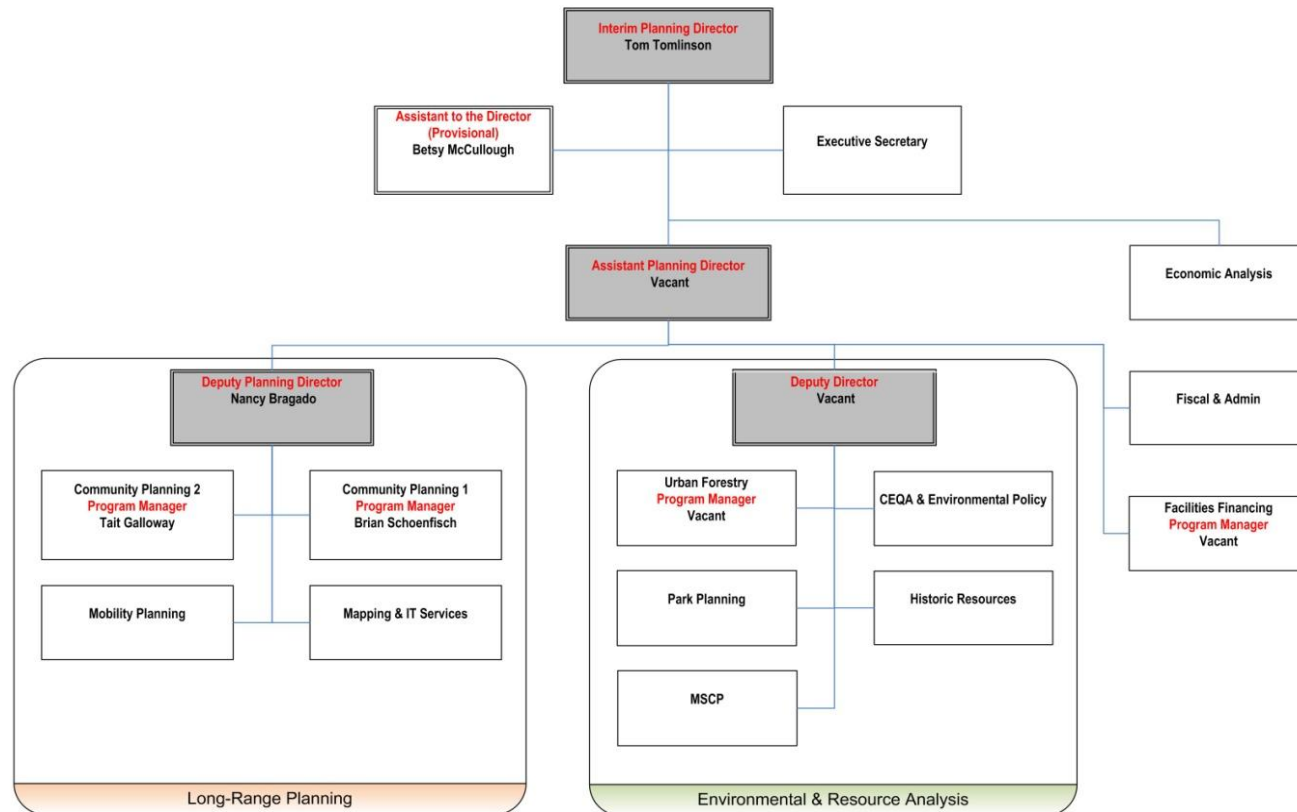
# City Planning Department



THE CITY OF SAN DIEGO

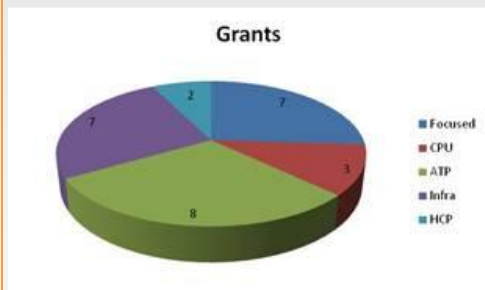
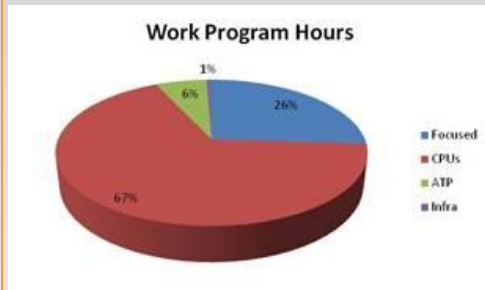
## Neighborhood Services Branch PLANNING DEPARTMENT

Fiscal Year 2015



# Long-Range Planning Overview

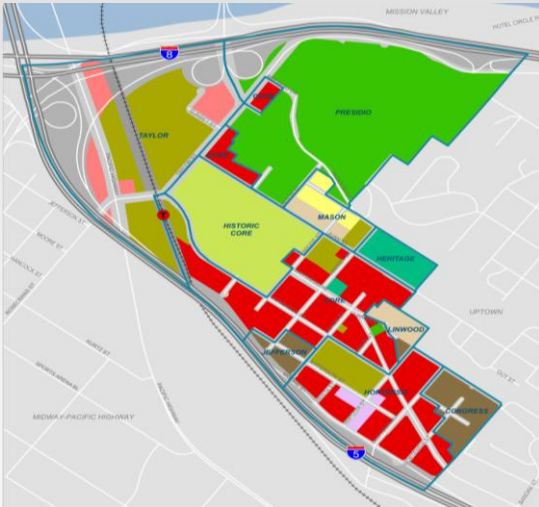
## Ongoing Projects and Programs



- 10 Community Plan Updates (CPUs)
- 27 Active Grants
  - \$17.6 million award value
- Grant applications
- Urban Design
- Park Planning
- Community Planning Group support
  - 42 planning groups
  - Community Planners Committee
- Plan Amendments/Project Review
  - Public and private projects
  - Plan implementation



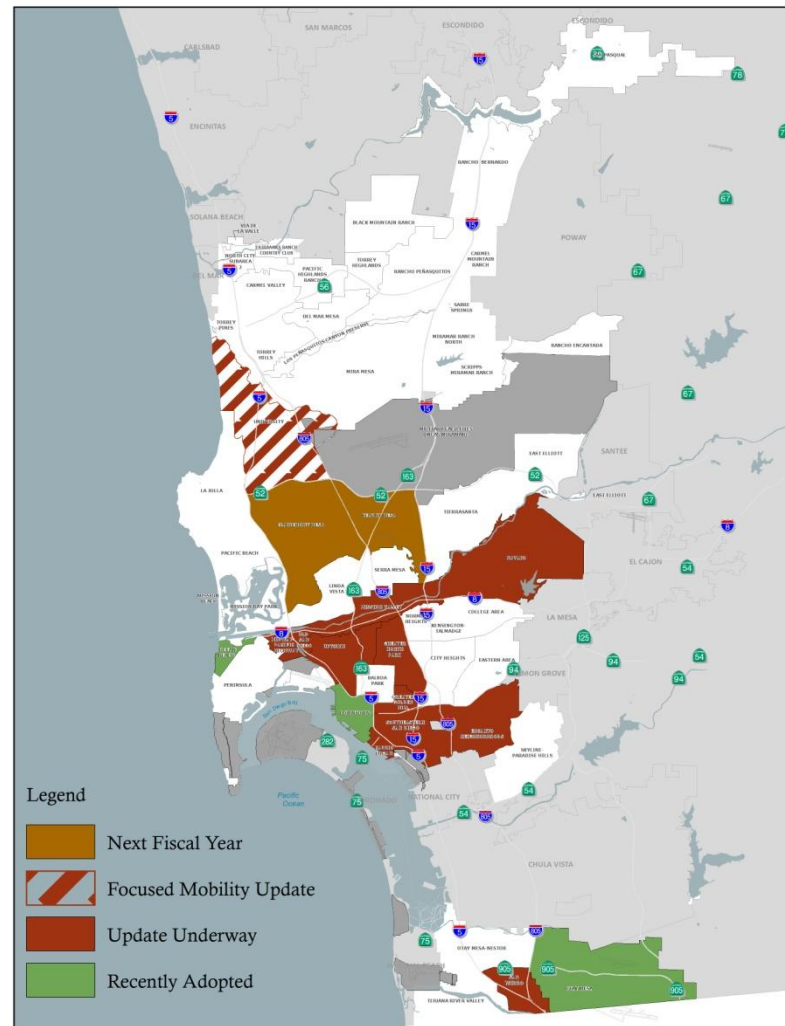
# Community Plan Updates in Process



- Southeastern San Diego
- Encanto Neighborhoods
- San Ysidro
- Uptown
- North Park
- Greater Golden Hill
- Old Town
- Midway Pacific Highway
- Mission Valley



# Community Plan Updates In Process



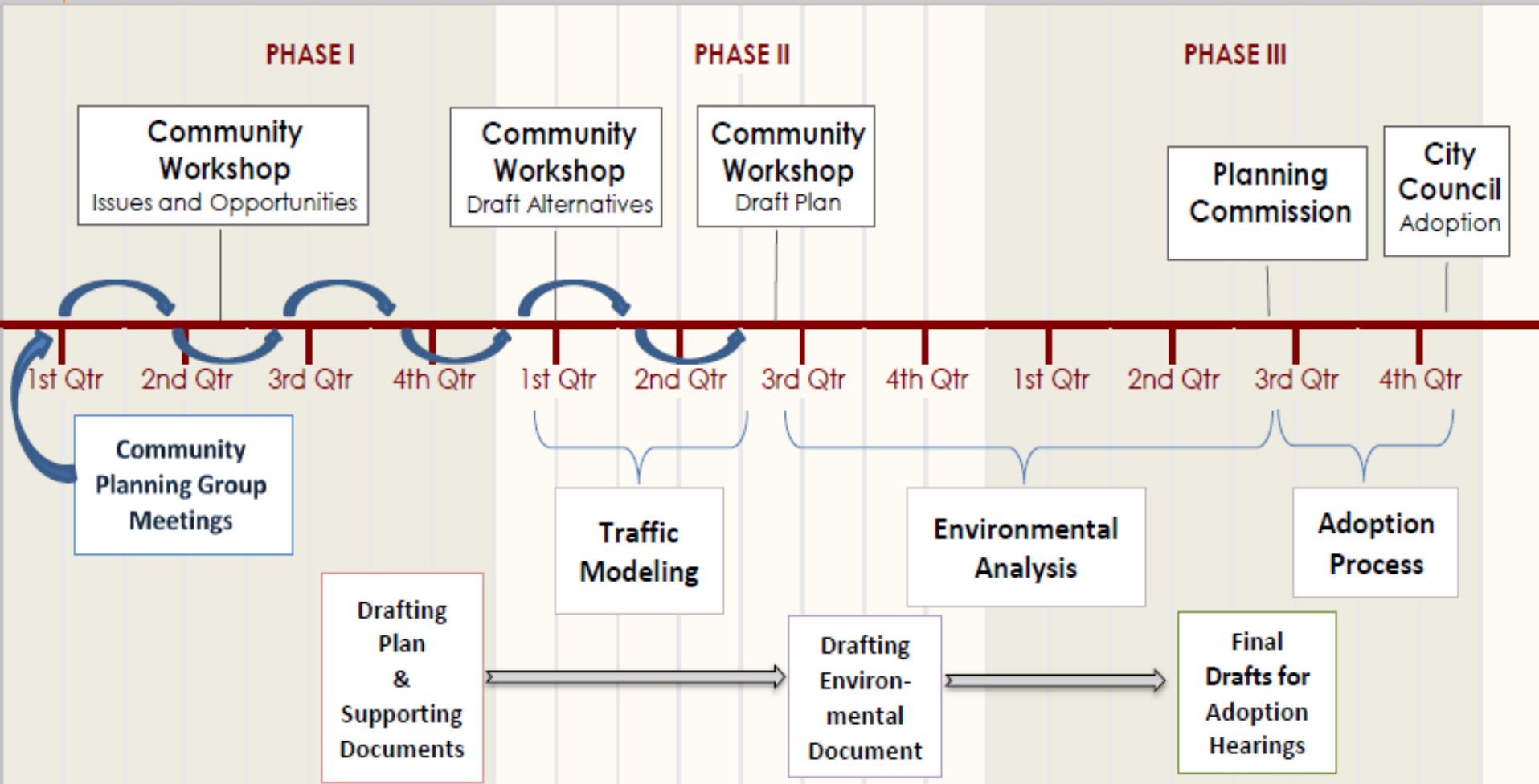
# Community Plan Update Key Milestones

Plan	Milestone	Milestone Date	Public Hearings
Grantville Master Plan	<b>City Council Adoption!</b>		June 9, 2015
Southeastern San Diego	PEIR	June 2015	November 2015
Encanto Neighborhoods	PEIR	June 2015	November 2015
San Ysidro	Public Review Draft	April 2015	May 2016
Uptown	Public Review Draft	June 2015	June 2016
North Park	Public Review Draft	June 2015	June 2016
Golden Hill	Public Review Draft	June 2015	June 2016
Old Town	Discussion Draft	July 2015	Sept. 2016
Midway - Pacific Highway	Public Review Draft	July 2015	Sept. 2016
Mission Valley	Community Workshop	June 30, 2015	April 2018





# Plan Update Timeline



# Development Services Department - Divisions

- Building Construction and Safety
- Code Enforcement
- Engineering
- Land Development Review
- Project Submittal and Management
- Support Services

[www.sandiego.gov/development-services/](http://www.sandiego.gov/development-services/)

[www.sandiego.gov/development-services/opensd/](http://www.sandiego.gov/development-services/opensd/)



# Building Construction and Safety

## ■ Field Inspection

- Building
- Electrical
- Combination
- Mechanical
- Undergrounding
- Fire –Sprinkler
- Fire –Alarm
- Storm Water
- Project Management
- Permit Issuance and Support
- Solar Photo Voltaic permitting
- Special Inspection

## ■ Plan Review

- Structural
- Electrical
- Mechanical and Plumbing
- Title 24 Energy
- Accessibility
- Green Buildings
- Noise
- Life- Safety
- Combined Review
- Project Management



# Code Enforcement

## ■ Building and Housing

- Active Unpermitted Construction
- Existing Unpermitted Construction
- Exposed Electrical Wires
- Hazardous Conditions
- Illegal Dwelling Units
- Mobile Home Parks
- Storm Water BMP
- Substandard Housing
- Unsecured swimming pools
- Unstable Structures

## ■ Zoning/Land Development

- Abandoned Properties
- ESL Grading
- Excessive Storage
- Garage Conversions
- Illegal Uses
- Marijuana Dispensaries
- Property Value Protection Ordinance (PVPO)
- Residential Rental Properties (RHOP)
- Signs
- Utility Undergrounding Enforcement



# Engineering

- **Civil Engineering**

- Discretionary review
- Ministerial review
- Storm Water Compliance
- Permit issuance

- **Transportation/Traffic**

- Discretionary review
- Ministerial review
- Permit issuance

- **Addressing/Street Naming**

- Assign addresses
- Assign street names

- **Geology**

- Discretionary review
- Ministerial review

- **Map Check**

- Discretionary review
- Ministerial review



# Land Development Review

## ■ Environmental Analysis

- CEQA Implementation
- Biology

## ■ Landscape

- Project Compliance Review

## ■ Land Development Code

- Code Updates and Amendments
- LCP Amendments

## ■ Mitigation Monitoring Compliance

- Street Tree Permits

## ■ Permit Planning

- Review of Projects for LDC and Plan Conformance
- Hearing Officer
- Zone History Letters

## ■ Over the Counter Development and Permit Information

- ABC Licenses
- Over the Counter Permits
- Zoning Use Certificates
- Zoning Info Phone Line



# Project Submittal and Management

## ■ Project Processing

- Check in/Reception
- Project Set Up/Issuance
- Plan Processing
- Plan Pick Up
- Ministerial project Management

## ■ Project Management

- Process advocate
- Project facilitation
- Communication/Liaison
- Conflict resolution
- Close out



# Support Services

## ■ Finance

- Records Counter
- Records Management
- Retention Schedules
- Public Records Act
- Subpoenas

## ■ Records

- Records Counter
- Records Management
- Retention Schedules
- Public Records Act
- Subpoenas

## ■ IT

- IT Budgets
- Equipment / Phones
- PTS
- DSD Website
- Purchasing
- Networking/Space Management

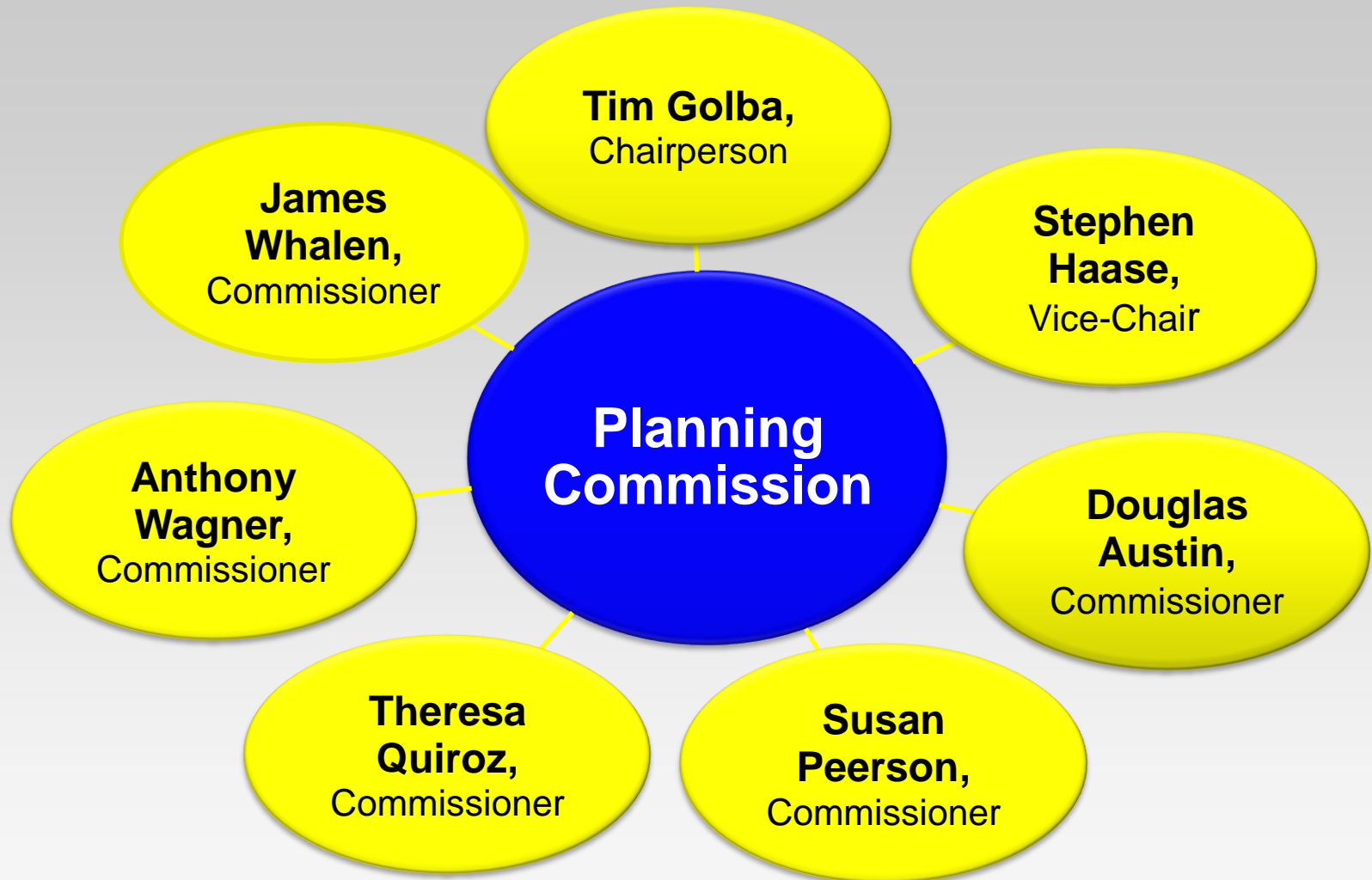
## ■ Cashier

- Payment Processing
- Deposits





# City of San Diego Planning Commission



# Community Planners Committee

- Open to representatives from all 42 recognized community planning groups
- Monthly opportunity to discuss vote on matters of Citywide interest and importance
- Advisory to City Council, Planning Commission and other agencies
- Subject to many of the same meeting procedures as individual community planning groups



# Community Planning Group Governance

- Council Policy 600-24
  - Administrative Guidelines
- Brown Act (California Government Code)
- Adopted Community Planning Group Bylaws
- Indemnification Ordinance
- Robert's Rules of Order



# Brown Act Influences

- Meeting Requirements
- Transparent & Open Deliberations
  - Avoid collective concurrence
  - Avoid serial meetings
- Public Right to Attend & Provide Comment
  - Notice requirements
  - Agenda descriptions
  - Items not on agenda



# Meeting Agenda Preparation

- Include a section on the agenda for Public Comment
- May have a Consent Agenda with the understanding that someone in attendance may request an item be discussed
- List items, with brief description, as either information or action item
- **Information Items**
  - Group cannot take action/vote
  - Informal comments that do not constitute an action of the group are permitted
- **Action Items**
  - If listed as an action item, CPG must take action
  - Action item can only be added to agenda by 2/3 votes of filled seats



# Meeting Agenda Posting

- Must be posted at least 72 hours before meeting in accordance with Brown Act
- Must be posted at meeting facility or at another public place freely accessible to the general public
- Electronic posting to City's website as a courtesy. Send to: [SDPlanningGroups@san Diego.gov](mailto:SDPlanningGroups@san Diego.gov)
- If a planning group has a website, must post agenda to it at least 72 hours in advance of meeting
- Make agenda and back up materials available at the meeting or in advance electronically
- Agendas distributed and posted in advance are may be amended at the meeting



# At the Meeting

- **Assure a Quorum to Conduct Any Business**
  - Chair should confirm a quorum to start the meeting; if lack of quorum is noticed during meeting, suspend discussion
  - Confirm a quorum prior to calling for a vote on an action item
  - Only actions that can be taken in absence of quorum is:
    - Fix the time to adjourn or recess
    - Take measures to obtain quorum
- **Changes to the Publicized Agenda**
  - Items may be added to the agenda only if they came to the attention of the group after the posting of the 72-hour notice
  - Adding an item to the agenda must be done by a successful vote of 2/3 of the voting members of the community planning group, or everyone eligible to vote if less than 2/3 of the voting members are present



# At the Meeting (continued)

- **Comments from those in attendance**
  - Take non-agenda public comment at beginning of meeting
  - Public comment on information items and action items
- **Public Attendance and Sign-In**
  - Be clear that signing in is voluntary except to meet requirements of becoming an 'eligible member of the community' for voting or candidacy
- **Recording the meeting**
  - Must be allowed if not disruptive to the meeting
  - If a member is recording for personal use, its not a public record
- **Maintaining Civility**
  - Anticipate disruptive behavior; set meeting tone/consequences
  - May use CP600-24 [Brown Act-based] provisions to clear the room





# At the Meeting (continued)

- **Time Issues**
  - Add a disclaimer noting that times listed for agenda items are estimates
  - Time limits on public comment are acceptable if applied equally
- **Clarifying the Motion**
  - If there's any confusion, take the time to clarify the motion before the vote is taken
- **Recording the Vote**
  - All votes on an agenda must be recorded as number for, number against, and number abstaining, and WHO made each vote



# At the Meeting (continued)

- **Filling Vacancies**

- Council Policy 600-24 states that two or more concurrent vacancies must be filled by a vote of all eligible members of the community by secret written ballot
- A single vacancy is filled in accordance with adopted bylaws processes. If a single vacancy is filled by appointment of the community planning group as an agenda item, that vote must be disclosed at the time of voting and recorded in the minutes. That is: the vote should be a voice vote; however, if done by written ballot, the ballot must contain the voter's name and when ballots are collected, the Chair or Secretary must announce the vote. If the vote is not unanimous, those voting for the candidate, not voting for the candidate, or those abstaining, all must be disclosed



# Subcommittees

- **Subcommittees**
  - Standing Subcommittees
    - Regular meetings on specific topics
    - Must be noticed and held in publically accessible locations
  - Ad Hoc Subcommittees
    - Established for a finite period of time
    - CP 600-24 requires Ad Hoc meetings be open to public
    - Noticed on website and/or on regular CPG Agenda
  - Composition
    - Must be comprised of majority of CPG Members
    - Non-planning group members
  - Recommendations must be made to the planning group, not directly to the City



# Voting, Recusals and Abstentions

- Revisions to Council Policy 600-24 in 2014 clarified voting requirements and added specific situational voting requirements
- Many items a planning group votes on require a majority or two-thirds of the voting members of the planning group for the vote to be a legitimate vote. These situations are listed in Council Policy 600-24, Article VI, Section 2, (a) (8) (b). Other votes, including ones on development projects, require only a majority of the voting members in attendance at the meeting when a voting quorum is present.
- Abstentions and recusals are situations that community planning group members may find themselves in when a particular subject matter is before a planning group for action. They should be identified as early in the discussion of an item as possible. Recusal is a mandatory removal of a member from a group discussion; Abstention is a voluntary removal of oneself from the discussion.



# Recusals

## Recusal:

- A recusal occurs when a community planning group member has a financial stake in a land use project that is coming before their community planning group (and its subcommittee).
- The member is then precluded from participating in the discussion of or voting on the item as a community planning group member. The member must remove all appearances that he/she is participating in a discussion as a group member.
- Recusals are most often determined prior to a group's discussion of an item. Staff can be consulted to help determine a particular recusal situation if there is a question or disagreement.
- A member who must recuse is not counted toward the quorum that is present to determine a majority vote for that particular agenda item.



# Abstentions

## Abstention:

- An abstention occurs when a community planning group member chooses not to participate in discussion or vote on an item before the group when they have a legitimate, non-financial reason.
- Reasons may include an undetermined but possible financial interest; a belief that he/she may be perceived to have a financial interest but does not; or personal knowledge of, or relationship with, a project applicant that may be perceived by others as prejudicial for or against a project. An abstention may be claimed if the member feels they do not have enough information to participate in a vote for or against an item.
- A member who abstains does count toward the attendance quorum for the agenda item and is recorded in a 3-part “x-x-x” vote (For-Against-Abstentions).



# Abstention and Recusal Example

An action item on a development project is on the properly noticed agenda of a Community Planning Group. There are twenty seats on the Community Planning Group, including one vacancy. Eighteen members are present at the meeting. Two members must recuse and one member abstains. A motion is made to recommend approval of the project.

- The action is on a development project which requires a majority vote of the voting members who are present as long they constitute a quorum.
- The two recusals do not count in the quorum, thus reducing the eligible voting members to 16 present.
- The one abstention does count in the quorum, thus leaving the eligible voting members at 16.
- A majority of 16 members is 9.
- This is one of just a few voting situations that may be decided by a majority of the quorum present at a meeting (vs 2/3 or a majority of the voting members of the community planning group).



# Meeting Records

- Community Planning Groups are subject to public records act requests as identified in the Brown Act: records must be available to the public upon request.
- Agendas and meeting materials must be provided to the public upon request. This includes materials distributed to the community planning group prior to or at the noticed meeting.
- All materials that the community planning group is using to discuss an agenda item at a meeting must be available at the meeting for public review.
- Any record collected by the City about community planning group membership or operations is public information under the California Public Records Act. The information becomes a City record and is subject to an established Records Retention Schedule developed by the city.
- Minutes and Annual Reports – are records that are required to be submitted to City





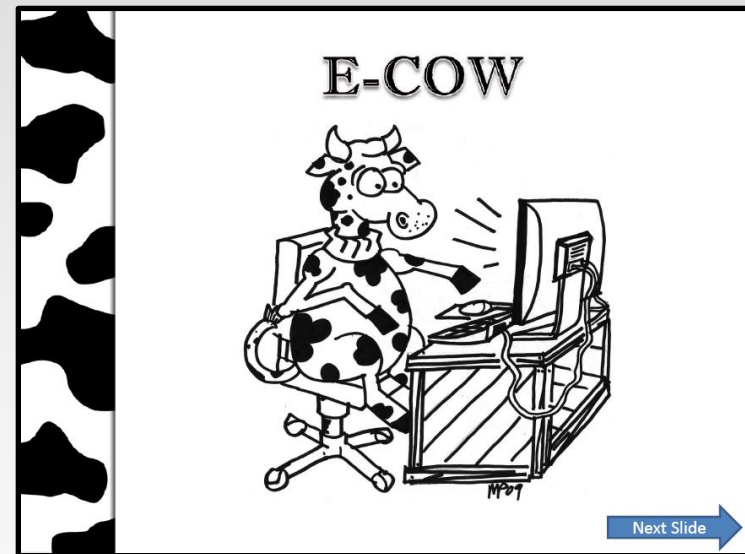
# CPG Reference Materials

- Council Policy 600-24
  - [http://docs.sandiego.gov/councilpolicies/cpd\\_600-24.pdf](http://docs.sandiego.gov/councilpolicies/cpd_600-24.pdf)
- Administrative Guidelines *(2015 GUIDELINES COMING SOON)*
  - <http://www.sandiego.gov/planning/community/pdf/cpg/adminguidelinesfinal2010.pdf>
- Community Planning Group Bylaws
  - <http://www.sandiego.gov/planning/community/cpg/bylaws.shtml>



# E-COW Preview

- E-COW is available through the Planning Department Website for new members unable to attend the COW which is offered in May each year
- The E-COW leads users through key content of Council Policy 600-24 and presents questions, answers and explanations
- <http://www.sandiego.gov/planning/community/ecow/index.shtml>



# Questions

## Planning Department contact information

Telephone: (619) 236-5200

Email : SDPlanningGroups@sandiego.gov

Website: <http://www.sandiego.gov/planning/>

